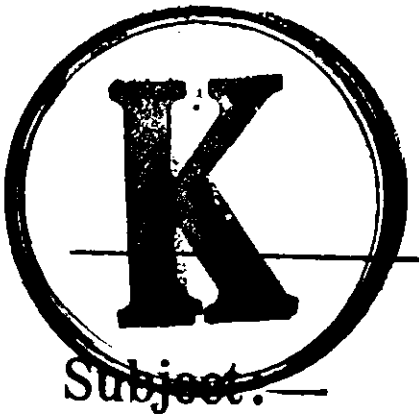
1941.

File No. O Tramways/41



Legal **DEPARTMENT**
A. **BRANCH**

Subject.—

Opinions under the Indian Tramways Act, 1886.

p.3

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391-A.

C O N T E N T S

Legal Department File No. O.' Tramways /1941

Sr. No.	Compilation No.	Subject	Pages
		Opinion under the Indian Tramways Act, 1886	
1	O.No. 6939/7.B.41	Question whether deficit can be legally adjusted towards repayment of post of the Govt. Loan of Rs. 10,800/-	1-7

Submitted.

P. 233 of P.W.D. file 6976/27 Part VI

2. By Gr.R. P.W.D., No 6976/27, dated the 7th April 1938, Govt sanctioned a loan of Rs. 8000 to Mr. C. Skelton for the purpose of demonstration of the Guideways System on the Dapuri Workshop Grounds. By G.R. P.W.D. No 6876/27, dated

P. 363 do.

the 13th February 1939, Govt sanctioned an additional loan of Rs. 2800 to Mr. C. Skelton for the purpose of completing the said demonstration. The total amount together with interest thereon at 5½ % per annum became due for repayment on 12.4.41. Mr. Skelton has not repaid the amount neither is there a likelihood of his paying it in the near future. It seems that the Guide Rail Road Feeder Lines Co. Ltd., Almatti of which Mr. C. Skelton is the managing Director has been authorised by Govt. to construct, maintain and work the Almatti-Talikot Tramway and the Almatti-Talikote Tramway Order, 1935 has been passed by Govt. under section 6 of the Indian Tramways Act. Owing to financial difficulties the tramway was not opened to public traffic within the period stipulated in the order and this period has been extended by Govt. from time to time. (now upto 31.12.41). It appears that Mr. C. Skelton on behalf of the Guide Rail Road

147 cutcs.

Feeder Lines Co. Ltd.] had deposited Rs.
5000 with the treasury Officer, Bijapur. in
connection with the Almatti Talkoto Tramway.
This deposiate amount was reduced to Rs.2500 P.42 ante.]
as the construction on the tramway was not
in progress and Rs. 2500 were returned to Mr.
C. Skelton, the Managing Director of the Co.
Rs. 2500 are still with the Govt. in deposit
and the question referred to by the P.W.D.
for R.L.A's consideration is whether this
deposit can be legally adjusted towards repay-
ment of part of the Govt. loan of Rs.10,800.

Id/-

Mr/25/5

Office of the R.L.A.

The answer to the question raised by the P.W.D. is in the negative. Rs.5000 was deposited by Mr. C Skelton as the Managing Director of the Guide Rail Road Feeder Lines Co. Ltd. as required by rule 7 of the Province of Bombay Tramway Rules in connection with Almatti-Talkiote Tramway Order, 1935 (Please see his letter at p.183 of P.W.D File 6976/27/IV). Under this rule the promoters have to deposit the amount and in the Almatti-Talikote Tramway Order, 1935, Messers. The Guide Rail Road Feeder Lines Co. Ltd. are shown as promoters. This deposit was reduced to Rs. 2500 by Goverhment letter at p. 42 ante at the request of Mr. C. Skelton the ~~Mangingx~~ Managing Director of the Guide Rail Road Feeder Lines Co. Ltd. This deposit is shown in the Accounts of the Co. (See p. 222 ante). Rules 8 to 12 of the Province of Bombay Tramwa Rules therefore apply to this deposit. Government has granted extension of the period for the completion of the Almatti-Talikote Tramway Project upto 31st December 1941 (page 147 ante). From the G. Rs. dated 7the April 1938 and 13th February 1939, at pp. 233 and 263 of P.W.D. file 6976/27 Part VI it will be seen that the loan of Rs. 8000+2800 was granted to Mr. C. Skelton in his private capacity for demonsteration of the working of the "guideways system" on the Dapuri Workshop grounds and that this has no connection with the Almatt i-Talikote Tramway project. The deposit of Rs.2500 made by the Guide Rail Road Feeder Lines Co. Ltd. cannot therefore be adjusted towards the repayment of the loan taken from Government By Mr. C. Skelton in his private ~~capcity~~ capacity.

Sd/- 5/8
Remembrancer of Legal Affairs.

U.R. to P.W.D. No 6939 dated 7th August 1941

Mr/25/4